

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

TRUSTEES OF THE SOUTHERN
CALIFORNIA IBEW-NECA PENSION
PLAN, et al.,

Plaintiffs,

vs.

FTR INTERNATIONAL, INC., etc.

Defendant.

Case No.: SACV 11-00602 JST (CW_x)

Discovery assigned to the Honorable
Carla Woehrle

PROTECTIVE ORDER

On December 28, 2011, Plaintiffs, Trustees of the Southern California IBEW-NECA Pension Plan, et al. (the “Trustees”) served on the City of Signal Hill (“Signal Hill”) a subpoena (“Subpoena”) requesting production of unredacted certified payroll records (“Unredacted CPRs”) prepared by defendant FTR International, Inc. (“FTR”).

The Unredacted CPRs contain FTR’s employees’ names, addresses, and social security numbers (“Identification Information”). Although this Identification Information is confidential in nature, the Trustees require the information in order to calculate fringe benefit contributions allegedly owed by FTR.

IT IS HEREBY ORDERED, pursuant to the “Stipulation for Protective Order” entered into by and among the Trustees and Signal Hill, and good cause appearing therefore:

1 1. Signal Hill shall produce the Unredacted CPRs requested in the Subpoena
2 within 20 days of the issuance of this order.

3 2. The Trustees shall not furnish, show, disclose or otherwise disseminate
4 the Unredacted CPRs to any person except to: (a) the Trustees, their agents and
5 employees; (b) counsel for the Trustees and office personnel assisting counsel in the
6 preparation and trial of this action; and (c) experts and consultants who are assisting
7 said counsel in preparation and/or trial. The Trustees shall require any person(s)
8 identified in subparagraphs (a) through (c) to be bound to this order.

9 3. The Unredacted CPRs may only be used for the purpose of calculating,
10 collecting and allocating fringe benefit contributions allegedly owed by FTR. The
11 Unredacted CPRs may not be used for any other purpose by anyone, including those
12 persons identified in Paragraph 2 herein.

13 4. The Unredacted CPRs produced pursuant to the Subpoena shall be
14 maintained in the possession and control of the Trustees and the Trustees' counsel in
15 such a manner that the information is not accessible to individuals not bound by this
16 order.

17 5. Unless a court orders otherwise, the Trustees may only file the
18 Unredacted CPRs in court only after obtaining an order to seal pursuant to the relevant
19 procedural rules.

20 6. The Trustees may redact the Unredacted CPRs by blocking out the
21 employees' first and middle names (including any initials), addresses, and social
22 security numbers contained therein. These redacted CPRs, showing the employees'
23 last names, may be provided to other parties, and may be filed in court without an
24 order to seal.

25 7. In the event that the Trustees are ordered by a court or any state, federal
26 or governmental unit to produce the Unredacted CPRs, they shall provide reasonable
27 notice to Signal Hill, through their counsel, of that court order or command, so as to
28 allow Signal Hill to file an appropriate opposition to such order or command.

1 8. The terms of this Order shall remain in full force and effect and shall not
2 cease to be in effect because of the final adjudication of this litigation.

3 9. Upon resolution of this action in trial court, the Unredacted CPRs shall be
4 held by Trustees' counsel pending final resolution of this litigation by appeal or
5 otherwise. Within six (6) months after such final resolution, the Unredacted CPRs
6 shall be shredded by the Trustees' counsel. The Trustees' counsel shall give Signal
7 Hill, through its counsel, notice when the Unredacted CPRs have been shredded.

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11 DATED: January 11, 2012



UNITED STATES DISTRICT COURT
MAGISTRATE JUDGE